



TESTIMONY OF PROFESSOR JOCELYN BENSON, ESQ.
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DIRECTOR, MICHIGAN CITIZENS' REDISTRICTING COMPETITION
BEFORE THE MICHIGAN SENATE COMMITTEE ON REDISTRICTING AND ELECTIONS
MAY 25, 2011

Good afternoon. I would like to thank the Senate Committee on Redistricting and Elections for holding this hearing and for inviting me to present testimony this morning.

I am here today in my capacity as the Founder and CEO of the Michigan Center for Election Law, and as the Director of the Michigan Citizens' Redistricting Competition.

Michigan Citizens' Redistricting Competition¹

The 2011 "Michigan Citizens' Redistricting Competition" is a nonpartisan project of the Michigan Center for Election Law and Administration, in partnership with the Michigan Redistricting Collaborative (which includes groups such as Common Cause, the League of Women Voters, and Michigan Nonprofit Association).

Our concern is, simply, that the current process has led to increased gerrymandering, and has allowed political parties to increase their majorities and limit competition, which is the foundation of a healthy functioning democracy.

Our hope is that, through providing tools for any Michigan citizen to craft and design their own redistricting maps for Congressional or Michigan legislative districts, we will help to provide citizens with a meaningful voice in the 2011 redistricting process. We also hope to demonstrate that an open, transparent redistricting process based on objective criteria and citizen input can produce fair legislative districts in Michigan.

This past month, 2011 "Michigan Citizens' Redistricting Competition" offered any Michigan citizen the tools and opportunity to produce potential district maps for Michigan's 14 Congressional Seats, or Michigan's state senate or legislative seats. The maps were then scored based upon objective criteria, such as how well they keep county and city residents in one district or how close each district comes to having the same number of people. We received over 200 entries, and on Monday the top scoring plans were submitted to the State House and to this Senate committee for consideration. I have included electronic copies of those plans in my testimony before this committee today, and we will be posting these plans online shortly.

¹ Attached please find several news articles describing the competition, including an article posted by a contributor to the Detroit News' Conservative Website, "The Michigan View."

I developed the idea after being inspired by the former Ohio Secretary of State, Jennifer Brunner, who held the first competition of this kind in 2009. Information about that competition can be found at www.ohioreddistricting.org. More recently, Christopher Newport University and the Public Mapping Project sponsored the Virginia College and University Legislative Redistricting Competition earlier this year, which invited college student teams to draw legislative lines for the Virginia House of Delegates, Senate of Virginia, and federal congressional lines for the House of Representatives.

For our competition here in Michigan, citizens were invited to visit <http://www.michiganreddistricting.org>, enter some basic information and begin drawing their maps. The site provides a variety of mapping tools, as well as population information and legal guidance to help each entrant develop fair, legal maps.

The entrants used redistricting software hosted online by the Midwest Democracy Network and developed by George Mason University Professor Michael McDonald and the Public Mapping Project. To learn more about the Public Mapping Project, contact Dr. Michael McDonald (mmcdon@gmu.edu) or visit www.publicmapping.org.

Judges and Judging Criteria

A nonpartisan panel of seven judges developed the criteria to evaluate and score the plans, based upon the criteria used in the aforementioned competitions in Ohio and Virginia. The seven judges are:

- Jowei Chen, Assistant Professor of Political Science, University of Michigan
- Kristen Clarke, Esq. Co-Director of Political Participation Project, NAACP Legal Defense and Education Fund
- Marcia Johnson-Blanco, Esq., Co-Director of Voting Rights Project, Lawyers Committee for Civil Rights
- Kurt Metzger, Director, Data Driven Detroit
- Anthony Saliccioli, Teacher, Clarenceville Public Schools & President-Elect, Michigan Council on Social Studies
- Jeff Williams, Chief Executive Officer, Public Sector Consultants
- Hal Ziegler, Former Republican State Senator, Michigan State Senate

The panel developed the following objective criteria for evaluating the plans. The criteria is based on federal and state law, as well as traditional redistricting principles that legal experts generally agree should be adhered to in the creation of objective and fair redistricting plans.² Top scoring plans were selected based upon how well they meet eight objective traditional redistricting factors:

1. Contiguity: is every part of every district connected?
2. Voting Rights Act Compliance: does the plan contain the required number of majority African American districts? (per the recommendation of the Black Legislative Caucus)
3. Equipopulation: Does each district have roughly the same number of people in it? (You can deviate up to 1% for Congressional districts, 5% for State legislative and Senate districts)

² See, e.g., The Brennan Center for Justice at New York University School of Law's comprehensive *Citizens Guide to Redistricting*.

4. Preserve existing city and county boundaries: Do districts avoid splitting counties and cities as much as possible?
5. Compactness: Is the shape of districts as close to a circle or square as possible?
6. Competitiveness: Does the map contain districts where there is a balanced percentage (i.e., close to 50%/50%) of Republican and Democratic voters?
7. Partisan Representation: Does the map create roughly the same number of majority Democratic and majority Republican districts?
8. Preserving Communities of Interest: Does the map make an effort to keep some smaller communities (college campuses, language minority populations) together in one district to preserve their voting strength?

In the weeks ahead, we will be posting the attached maps on our website and inviting any member of the public to comment and support certain plans. Out of that process we will select one winning Congressional and State Senate plan, and will submit to you further information about which of the plans before you today ultimately receives that honor.

This nonpartisan competition is a unique and meaningful opportunity for us as citizens to contribute to decisions that affect our future as Michigan voters. And it's important because, ultimately, voters should have the sole authority to choose their representatives, not the other way around.

Thank you again for the opportunity to testify before you today, and for inviting public comment on the redistricting process at this hearing.